

Jason Schultz (SBN 212600)  
jason@eff.org  
 Corynne McSherry (SBN 221504)  
corynne@eff.org  
 ELECTRONIC FRONTIER FOUNDATION  
 454 Shotwell Street  
 San Francisco, CA 94110  
 Telephone: (415) 436-9333 x112  
 Facsimile: (415) 436-9993

Marcia Hofmann (*pro hac vice*)  
marcia@eff.org  
 ELECTRONIC FRONTIER FOUNDATION  
 1875 Connecticut Ave. NW  
 Suite 650  
 Washington, DC 20009  
 Telephone: (202) 797-9009 x12  
 Facsimile: (202) 707-9066

Attorneys for Plaintiff  
 JOHN DOE A/K/A BRIAN SAPIENT

**UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

JOHN DOE A/K/A BRIAN SAPIENT,	)	Civil Action No. 07-2478 BZ
	)	
Plaintiff,	)	<b>JOINT STIPULATION AND</b>
	)	<b>[PROPOSED] ORDER REGARDING</b>
v	)	<b>SCHEDULING</b>
URI GELLER A/K/A URI GELLER FREUD	)	
and	)	
EXPLOROLOGIST LTD.,	)	
	)	
Defendants.	)	

**RECITALS**

California Proceedings

On May 8, 2007, Plaintiff John Doe a/k/a Brian Sapien ("Sapien") filed a Complaint in the instant case against Explorologist Ltd and Uri Geller a/k/a/ Uri Geller Freud ("Defendants") seeking injunctive relief and damages for alleged misrepresentation of copyright claims, as well as

1 declaratory relief. On July 20, 2007, counsel for Defendants agreed to accept service of the  
Complaint on Defendants' behalf.

3 2. Pennsylvania Proceedings:

4 On May 7, 2007, Explorologist Ltd. filed a Complaint in the District Court for the Eastern  
5 District of Pennsylvania against Sapien, seeking damages and injunctive relief for alleged foreign  
6 copyright infringement. On May 23, Explorologist Ltd. filed an Amended Complaint with  
7 additional allegations of commercial disparagement and appropriation of name or likeness. On  
8 June 11, 2007, Sapien filed a Motion to Dismiss Explorologist Ltd.'s Amended Complaint.  
9 Explorologist Ltd. filed an Opposition to that Motion on June 28, 2007, and Sapien filed his Reply  
10 in Support of the Motion on July 9, 2007. A ruling on Sapien's Motion to Dismiss is pending. On  
1 July 18, 2007, the Eastern District of Pennsylvania ordered that discovery in that case be stayed  
12 until September 17, 2007, pending a resolution of Sapien's Motion to Dismiss.

13 3. In light of the recent acceptance of service of the Complaint in the instant case, the  
14 pending motion in the Pennsylvania case, and the stay of discovery in the Pennsylvania case, the  
15 Parties agree that it would be appropriate to conserve the resources of this Court and the Parties by  
16 altering the schedule in the instant case as set forth below

17 4. In addition, the Parties respectfully decline to proceed before a magistrate judge  
18 and, therefore, request reassignment to a United States District Judge.

19 **STIPULATION**

20 Pursuant to the foregoing, the Parties jointly stipulate to the following and request that the  
21 Court make this stipulation an order of the Court:

- 22 1 Defendants shall file a response to the Complaint on or before October 19, 2007;  
23 2. The Parties shall meet and confer regarding initial disclosures, early settlement,  
24 ADR process selection and discovery plan, and file a Joint ADR Certification or  
25 Notice of Need for ADR phone conference on or before October 24, 2007;  
26 3. The Parties shall file a Rule 26(f) Report, complete initial disclosures or state  
27 objection and file a Case Management Statement on or before November 7, 2007;  
28

- 1           4       An Initial Case Management Conference shall be held on or after November 14,  
2                   2007; and  
3           5.       This case shall be reassigned to a United States District Judge.  
4  
5

6       DATED: July <sup>30</sup>\_\_, 2007

7           By 

Jason M. Schultz, Esq.  
Corynne McSherry, Esq.  
ELECTRONIC FRONTIER FOUNDATION  
454 Shotwell Street  
San Francisco, CA 94110  
Telephone: (415) 436-9333 x112  
Facsimile: (415) 436-9993

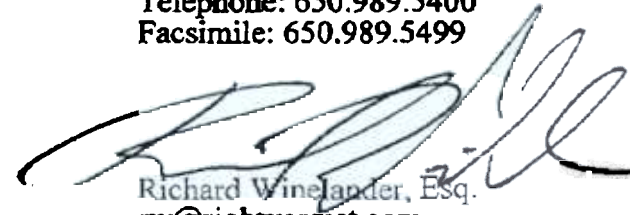
Marcia Hofmann  
ELECTRONIC FRONTIER FOUNDATION  
1875 Connecticut Ave. NW  
Suite 650  
Washington, DC 20009  
Telephone: (202) 797-9009 x12  
Facsimile: (202) 707-9066

Attorneys for Plaintiff John Doe a/k/a Brian  
Sapient

16       DATED: July <sup>30</sup>\_\_, 2007

17           By <sup>/s/</sup>

Jeffrey M. Vucinich, Esq. (SBN 67906)  
Clapp, Moroney, Bellagamba & Vucinich  
jvucinich@clappmoroney.com  
1111 Bayhill Drive, Suite 300  
San Bruno, CA 94066  
Telephone: 650.989.5400  
Facsimile: 650.989.5499

22             
Richard Winelander, Esq.  
rw@rightverdict.com  
1005 North Calvert Street  
Baltimore, MD, 21202  
Telephone: (410) 576-7890  
Facsimile: (443) 378-7503

Attorneys for Defendants Explorologist, Ltd  
and Uri Geller a/k/a Uri Geller Freud

**[PROPOSED] ORDER**

Pursuant to the foregoing stipulation and good cause appearing,  
IT IS SO ORDERED.

Dated:

---

**BERNARD ZIMMERMAN**  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the following non-CM/ECF participants:

Richard Wineland, Esq.  
1005 North Calvert Street  
Baltimore, Maryland 21202  
[rw@rightverdict.com](mailto:rw@rightverdict.com)  
Tel: (410) 576-7980  
Fax: (443) 378-7503

Jeffrey M. Vucinich, Esq.  
Clapp, Moroney, Bellagamba & Vucinich  
[jvucinich@clappmoroney.com](mailto:jvucinich@clappmoroney.com)  
111 Bayhill Drive, Suite 300  
San Bruno, CA 94066  
Tel: (650) 989-5400  
Fax: (650) 989-5499

By \_\_\_\_\_/s/  
Corynne McSherry (SBN 221504)  
[corynne@eff.org](mailto:corynne@eff.org)  
ELECTRONIC FRONTIER FOUNDATION  
454 Shotwell Street  
San Francisco, CA 94110  
Telephone: (415) 436-9333 x112  
Facsimile: (415) 436-9993